<center>REMARKS</center>

Claims 1-29 were pending and stand rejected. Claims 1, 2 and 6-29 have been amended, and claims 30-31 have been added. Following entry of the amendments, claims 1-31 will be pending and at issue.

In response to the Notice of Non-Compliant Amendment mailed January 11, 2007, Applicants have substituted double brackets in place of strikethrough font as requested, although Applicants believe that the prior Amendment was proper pursuant to MPEP 714.

CLAIM OBJECTIONS

Consistent with the Examiner's request, Applicants have corrected claim 17 for clarification.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 15-28 were rejected under 35 U.S.C. § 101. While Applicants dispute the Examiner's contention that transmission signals are not patentable subject matter, in the interest of expediting the application, Applicants have amended the specification. Applicants respectfully request that the Examiner's rejections on this ground be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 1-29 were rejected under 35 U.S.C. § 102(e) as allegedly being unpatentable over Chen (U.S. Patent No. 7,058,598). Applicants respectfully traverse this ground of rejection. Applicants have amended claims 1, 2 and 6-29 to clarify the invention, not to narrow the scope of protection with regard to the cited references or with respect to potentially infringing services or devices. These claims have not been amended as a result of the Examiner's rejection under 35 U.S.C. § 102(e).

Applicants' invention as recited, for example, in amended independent claim 1, is a combination including "causing the output of at least one item identifier from the first group and at least one item identifier from the second group, wherein causing the output comprises providing a cue to distinguish between the item identifiers from the first group and the item identifiers from the second group."

In contrast, Chen purports to solve "a need for users to search for the prices of multiple items in a single session and optimize all the prices for all such items considered as a package", such as a college student who desires to purchase three different textbooks at once. (Chen, col. 1, lines 21-27) Chen fails to disclose or suggest several elements of the claims.

The Examiner alleges that Chen's first search results are akin to Applicants' recited "first group" and that Chen's results of the sub-algorithm are akin to applicants' recited second group. Applicants disagree with this characterization for the reasons discussed below.

First, Chen's statement that "the search results are returned and displayed" (col. 3, lines 41-56) is not the same thing as "causing the output of at least one item identifier from the first group and at least one item identifier from the second group." For example, FIG. 2 of Chen only shows an <u>optimized output</u> on its display. It does not display <u>two</u> groups.

Further, Chen does not disclose "<u>providing a cue</u> to distinguish between the item identifiers from the first group and the item identifiers from the second group." On page 15 of the Application, the specification discusses various examples of what a "providing a cue" might comprise, including but not limited to: "different parts of a page, using different formatting, color or font, using a header, or using different icons...display[ing the first

group] in list form separate from item identifiers from a second group…visual indication, such as an icon…formatted for display or other output differently…different font, size, color…" Chen completely fails to disclose or suggest "providing a cue to distinguish between the item identifiers from the first group and the item identifiers from the second group." The decision of a user to select two titles does not "provid[e] a cue to distinguish between the item identifiers from the first group and the item identifiers from the second group." Assuming for the sake of argument only that the Examiner's interpretation of first and second groups in Chen is correct, Chen does not provide a cue to distinguish which books are in the first and second groups.

The cited portions of Chen from col. 5, line 23 to col. 8, line 12 discuss various sub-algorithms of optimizing the output based on how many items are selected; they do not "provid[e] a cue to distinguish between the item identifiers from the first group and the item identifiers from the second group." Rather, only the <u>optimized</u> output is displayed, as shown in FIG. 2. In Chen, there is simply no display of items from a first group and items from a second group, let alone a "cue" that distinguishes them. As such, this element is missing from Chen.

Claims 11, 15, and 25 patentably distinguish over Chen for at least the same reasons discussed above with regard to claim 1.

As to amended independent claim 29, Chen does not discuss "causing the display of at least one item identifier from the first group and at least one item identifier from the second group, wherein causing the display comprises displaying the item identifiers from the <u>first</u> group of item identifiers in a <u>visually distinct way</u> from the item identifiers from the <u>second</u> group." Chen's statement that "the search results are returned and displayed" (col. 3,

lines 41-56) is not the same thing as "causing the display of at least one item identifier from the first group and at least one item identifier from the second group." For Example, FIG. 2 of Chen only shows the optimized output on its display. It does not output one item identifier from a first group and one item identifier from a second group.

Further, Chen does not disclose "displaying the item identifiers from the first group of item identifiers in a <u>visually distinct way</u> from the item identifiers from the second group." Nowhere in Chen are item identifiers from the first group of item identifiers displayed in a visually distinct way from the item identifiers from a second group. The decision of a user to select two titles does not display two groups of item identifiers in a visually distinct way.

The additional cited portions of Chen from col. 5, line 23 to col. 8, line 12 discuss various sub-algorithms of optimizing the output based on how many items are selected; they do not disclose "displaying the item identifiers from the first group of item identifiers in a <u>visually distinct way</u> from the item identifiers from the second group." Rather, only the optimized output is displayed, as shown in FIG. 2. In Chen, there is simply no display of items from a first group and items from a second group, let alone displaying them in a "visually distinct way." At least this element is missing from Chen.

Therefore, claims 1, 11, 15, 25 and 29 patentably distinguish over Chen for at least these reasons, and the rejection should be withdrawn. Claims 2-10 depend, either directly or indirectly from claim 1. Claims 12-14 and 30 depend, either directly or indirectly from claim 11. Claims 16-24 depend, either directly or indirectly from claim 15. Claims 26-28 and 31 depend, either directly or indirectly from claim 25. All of these dependent claims also include recitations that further defined the claimed invention. Based on their dependence on

the independent claims and other patentable recitations, claims 2-10, 12-14, 16-24, 26-28 and 30-31 are also believed to be patentable.

Applicants respectfully submit that the pending claims are allowable over the cited art of record and request that the Examiner allow this case. The Examiner is invited to contact the undersigned to advance the prosecution of this application.

Respectfully Submitted,
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